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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/750,025	12/29/2000	Glen E. Shires	P273232 P10168	6430

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EXAMINER

NGUYEN, QUYNH H

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 07/16/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/750,025

Applicant(s)

SHIRES, GLEN E.

Examiner

Quynh H Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Foladare et al. (U.S. Patent 6,049,602) in view of Bateman et al. (U.S. Patent 5,884,032).

Regarding claim 1, Foladare et al. teach each agent enters an agent ID at an agent station (col. 5, lines 11-24); detecting, by a telephony server ("VRU 36"), DTMF tones ("touch tone signals" - col. 5, line 15) resulted from the agent ID entered by the agent, the DTMF tones encoding the agent ID (col. 6, lines 14-30).

Foladare et al. do not teach the routed call is a requested call-back call.

Bateman et al. teach a user issues a request for a call-back (col. 6, lines 1-30).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the call-back feature, as taught by Bateman into Foladare's system in order to add more capabilities to his virtual call center.

Regarding claims 2-4 and 7, Bateman et al. teach a user issues a request for a call-back from a web page via a browser (col. 6, line 1-30); receiving the request from the user and placing a call to a call center (col. 6, lines 31-35); routing the call and the customer is connected to the agent (col. 6, lines 52-60).

Regarding claim 5, Bateman et al. teach bridging a call-back between the agent and the user (col. 6, lines 52-60 and col. 10, lines 58-67).

Regarding claim 6, Foladare et al. teach the system comprising: a call center (col. 1, lines 60-63); at least one agent station (Fig. 1, 60) connecting to at least on agent and the call center (col. 2, lines 42-57)

Foladare et al. do not teach a telephony server for receiving a request for a call-back from a user, placing a call to the call center, detecting when agent is available, and placing the call-back from the agent to the user.

Bateman et al. teach a user issues a request for a call-back from a web page via a browser (col. 6, line 1-30); receiving the request from the user and placing a call to a call center (col. 6, lines 31-35); routing the call and the customer is connected to the agent (col. 6, lines 52-60).

It would have been obvious to one of ordinary skill in the art at the time the invention was made that placing a call-back from the agent to the user only when an agent is available, otherwise if the agent is not available then the customer has to wait in queue in order to get help and that would defeat the purpose of call-back feature.

Regarding claim 8, Foladare et al. teach a personal computer (Fig. 1, 14).

Claim 9 is rejected for the same reasons as discussed above with respect to claims 1, 4, and 5.

Regarding claim 10, Foladare et al. teach a storage to store IDs ("CSR database 46").

Claims 11-15 are rejected for the same reasons as discussed above with respect to claims 1-5. Furthermore, Bateman et al. teach several computer hardware and software configurations are needed (col. 11, lines 13-40), and Foladare et al. suggest a data communications network, for

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example, Web page, Telnet page, etc... to set up his system and the computers used by users and agents may include a processor, memory, a modem and a monitor or display with a web browser such as Netscape Navigator.


3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 703-305-5451. The examiner can normally be reached on Monday - Thursday from 6:30 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

qhn

Quynh H. Nguyen
July 10, 2003


AHMAD MATAR
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600